

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**IN RE APPLICATION OF: PORTER, *ET AL.*

APPLICATION No.: 10/668,448

1A FILING DATE: SEPTEMBER 22, 2003

FOR: COMPOSITIONS AND METHODS FOR ALTERING THE
BIODISTRIBUTION OF BIOLOGICAL AGENTS

EXAMINER: ZARA, JANE J.

ART UNIT: 1635

CONF. No: 2356

**Information Disclosure Statement Within Three Months of
Application Filing or Before First Action – 37 C.F.R. § 1.97(b)**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the National Stage of an International Application or before the mailing date of a first Office Action on the merits or before the mailing date of a first Office Action on the merits after the filing of a Request for Continued Examination under 37 CFR §1.114, whichever occurs last (37 CFR 1.97(b)(4)). The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

B. Cited Information

- ☒ Copies of the references can be found in corresponding U.S. applications 10/355,388 filed January 31, 2003, 09/591,380 filed June 9, 2000, now U.S. Patent 6,537,814, 09/118,168 filed July 17, 1998, now U.S. Patent 6,117,858 and 08/670,999 filed June 28, 1996, now U.S. Patent 5,849,727 all of which this application claims priority under 35 U.S.C. §120, and are not being submitted herewith (see C.F.R. § 1.98(d)).

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C. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

D. Fee Payment

☒ Applicant elects to pay the fee under 37 CFR 1.17(p) in the amount of \$180.00.

☒ Check enclosed for the fee of \$180.00.

☒ The Commissioner is hereby authorized to charge any deficiency in fees to ensure timely submission of these papers to Deposit Account No. 50-2207.

E. Patent Term Adjustment (37 C.F.R. § 1.704(d))

☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,
Perkins Coie LLP

Date: September 18, 2006

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Form PTO-1449 (Modified)
(Use several sheets if necessary)



COMPLETE IF KNOWN

Application Number	10/668,448
Confirmation Number	2356
Filing Date	September 22, 2003
First Named Inventor	Porter, Thomas
Group Art Unit	1635
Examiner Name	Zara, J.
Attorney Docket No.	50450-8302.US03

Sheet 1 of 5

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			
		4572203		Feinstein	2/86	
		4634586		Goodwin et al.	1/87	
		4718433		Feinstein	1/88	
		4774958		Feinstein	10/88	
		4844882		Widder et al.	7/89	
		4957656		Cerny et al.	9/90	
		5040537		Katakura	8/91	
		5107842		Levene et al.	4/92	
		5255683		Monaghan	10/93	
		5304325		Kaufman et al.	4/94	
		5310540		Giddey et al.	5/94	
		5315997		Widder et al.	5/94	
		5315998		Tachibana et al.	5/94	
		5385147		Anderson et al.	1/95	
		5385725		Lin et al.	1/95	
		5393524		Quay	295	
		5401493		Lohrmann et al.	3/95	
		5409688		Quay	4/95	
		5410516		Uhlendorf et al.	4/95	
		5413774		Schneider et al.	5/95	
		5439686		Desai et al.	8/95	
		5445813		Schneider et al.	8/95	
		5512268		Grinstaff et al.	4/96	
		5540909		Schutt	7/96	
		5542935		Unger et al.	8/96	
		5552133		Lambert et al.	9/96	
		5558853		Quay	9/96	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).

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		NUMBER	Kind Code (if known)			
		5560364		Porter	10/96	
		5567415		Porter	10/96	
		5580859		Felgner <i>et al.</i>	12/96	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				
		EPO	0 633 030	A1	EP	1/85		
		PCT	WO 92/05806		WO	2/92		
		PCT	WO 93/05819		WO	4/93		
		PCT	WO 94/16739		WO	8/94		
		PCT	WO 94/18954		WO	9/94		
		PCT	WO 94/28874		WO	12/94		
		PCT	WO 95/15118		WO	6/95		
		PCT	WO 95/23615		WO	9/95		
		PCT	WO 96/38181		WO	12/96		
		PCT	WO 96/38180		WO	12/96		
		PCT	WO 97/33474		WO	9/97		

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
		Anderson editorial "Gene Therapy for Genetic Diseases", Human Gene Therapy, 5:281-282 (1994).	

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		Applied Pharmacokinetics, Principles of Therapeutic Drug Monitoring, Third Edition (1992), Applied Therapeutics, Inc., Vancouver, WA..	
		Bleeker, H., "On the Application of Ultrasonic Contrast Agents for Blood Flowmetry and Assessment of Cardiac Perfusion", Ultrasound Med, 9:461-471 (1990). .	
		Branch, A. Trends in Biochem. Sci., 23:45-50 (1998).	
		Brown, "New Media, Researchers" Oversold Gene Therapy, Advisory Panel Says, The Washington Post, p. A22 (1995). .	
		Challita, P., "Lack of expression from a retroviral vector after transduction of murine hematopoietic stem cells is associated with methylation in vivo", Proc. Natl. Acad. Sci. USA, 91, 2567-2571.	
		Coghlan, "Gene dream fades away", New Scientist, 148:14-15 (1995).	
		Gura, T, 1995, Science, vol. 270, pp. 575-577.	
		Jaroff, "Keys to the Kingdom", Time, 148(14) 24-29, Fall 1996.	
		Kricsfeld, A., "Detection of Regional Perfusion Abnormalities During Adenoosine Stress Echocardiography Using Intravenous Perfluoropropane-enhanced Sonicated Dextrose Albumin", J. Am. Col. of Card., special issue, Feb. 1995 (abstract). .	
		Marshall, "Gene Therapy's Growing Pains", Science, 269:1050-1055 (1995). .	
		Orkin, et al., Dec. 1995, Report and Recommendations of the Panet to Assess the NIH Investment in Research on Gene Therapy. .	
		Porter, "The mechanism and clinical implication of improved left ventricular videointensity following intravenous injection of multi-fold dilutions of albumin with dextrose", International J. of Card. Imag., 11:117-125 (1995). .	

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		Porter, "Transient Myocardial Contrast After Initial Exposure to Diagnostic Ultrasound Pressures With Minute Doses of Intravenously Injected Microbubbles; Demonstration and Potential Mechanisms", Circulation, 92(9):2391-2395 (1995).	
		Porter, et al., "Interaction of Diagnostic Ultrasound with Synthetic Oligonucleotide-Labeled Perfluorocarbon-Exposed Sonicated Dextrose Albumin Microbubbles", J Ultrasound Med, 15:577-584 (1996).	
		Porter, T., "Echocardiographic Detection of Residual Coronary Flow Abnormalities and Stenosis Severity After Coronary Reperfusion Using Intravenous Perfluoropropane-enhanced Sonicated Dextrose Albumin", J. Am. Col. of Card., special issue, Feb. 1995 (abstract).	
		Porter, T., "Multifold Sonicated Dilutions of Albumin With Fifty Percent Dextrose Improve Left Ventricular Contrast Videointensity After Intravenous Injection in Human Beings", J. Am. Soc. Echocard., 7(5) 465-471 (1994).	
		Porter, T.R., et al., "Visually Discernible Myocardial Echocardiographic Contrast After Intravenous Injection of Sonicated Dextrose Albumin Microbubbles Containing High Molecular Weight, Less Soluble Gases" JACC 25(2):509-515 (1995).	
		Porter, T., "Myocardial Contrast Echocardiography for the Assessment of Coronary Blood Flow Reserve: Validation in Humans", JACC, 21(2) 349-355 (1993).	
		Porter, T., "Noninvasive Identification of Acute Myocardial Ischemia and Reperfusion with Contrast Ultrasound Using Intravenous Perfluoropropane-Exposed Sonicated Dextrose Albumin", J. Am. Col. of Card., 26(1) 33-40 (1995).	
		Porter, T., "Visually Discernible Myocardial Echocardiographic Contrast After Intravenous Injection of Sonicated Dextrose Albumin Microbubbles Containing Molecular Weight, Less Soluble Gases", J. Am. Col. of Card., 25(2) 509-515 (1995).	
		Putterman, S., "Sonoluminescence: Sound into Light", Feb. 1995, Scientific American, 46-51.	

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		Srinivasan, Shashi Kumar "Characterization of Binding Sites, Extent of Binding, and Drug Interactions of Oligonucleotides with Albumin", Antisense Research and Development 5:131-139 (1995).	
		Xie, F., "Acute Myocardial Ischemia and Reperfusion can be Visually Identified Non-invasively with Intravenous Perfluoropropane-Enhanced Sonicated Dextrose Albumin Ultrasound Contrast", Abstract From the 67th Scientific Sessions Dallas Convention Center, Dallas TX, Nov. 14-17, 1994 90(2) Part 2, Oct. 1994 (abstract).	
		Xie, F., "Perfluoropropane Enhanced Sonicated Dextrose Albumin Produces Visually Apparent Consistent Myocardial Opacification with Physiologic Washout and Minimal Hemodynamic Changes Following. . . Injection", Abstract From the 67th Scientific Sessions Dallas Convention Center, Dallas TX, Nov. 14-17, 1994 90(4) Part 2, Oct. 1994 (abstract).	

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